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PART II—Section 4

Statutory Rules and Orders issued by the
Ministry of Defence

MINISTRY OF DEFENCE

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT, 1890

AND

IN THE MATTER OF THE ARMED FORCES RECONSTRUCTION FUND

New Delhi, the 18th April 1963

S.R.O. 144—Whereas the Secretary, Indian Soldiers', Sailors' and Airmen's Board Ministry of Defence, acting in the administration of the Fund mentioned above and as the person who proposes to apply the Fund in trust for charitable objects has applied for vesting the Fund mentioned in Schedule "A" hereto in the Treasurer of Charitable Endowments for India and for the settlement of a Scheme for the Administration of the said Fund,

It is hereby notified that the Central Government in exercise of the powers conferred by sections 4 and 5 of the Charitable Endowments Act, 1890 (6 of 1890), and upon the application as aforesaid and with the concurrence of the said Secretary doth hereby order and direct that the moneys set out in Schedule "A" hereto shall as from the publication of this notification vest, and be henceforth vested, in the Treasurer of Charitable Endowments for India to be held by him and his successors in office (subject to the provisions of the Charitable Endowments Act, 1890, and the rules from time to time to be framed thereunder by the Central Government) upon trust to hold the said moneys and the income thereof in accordance with the trusts and terms set out in the Scheme set forth in Schedule "B" hereto.

And it is hereby further notified that upon the application as aforesaid and with the concurrence of the said Secretary the Central Government has under Sub-section (1) of section 5 of the said Act settled the Scheme set forth in Schedule "B" hereto for the administration of the said endowment and under sub-section (3) of the said section 5 of the said Act. It is hereby further ordered that it shall come into force from the publication of this notification.

SCHEDULE "A"

A sum of Rs. 1,40,81,891.89 from the Armed Forces Reconstruction Fund of the Central Government is held with State/Central Banks of India, New Delhi as follows:—

I. INVESTMENT

<i>Securities</i>	<i>Face Value</i> Rs.	<i>Book Value</i> Rs.	<i>Yearly Interest</i> Rs.
3% Funding Loan 1966—68	52,93,200.00	55,48,491.25	1,58,796.00
3% Ist Development Loan 1970—75	75,73,900.00	78,88,515.51	2,27,217.00
TOTAL	1,28,67,100.00	1,34,37,006.76	3,86,013.00

(A)

NOTE.—The above Securities are lodged with the State Bank of India, New Delhi.

II. CASH

Cash in Bank	Rs. 6,44,885.13
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(B)

Total assets as on 31st March 1963.
[i.e. (A) Plus (B)]

Rs. 1,40,81,891.89 nP.

SCHEDULE "B"

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT, 1890

AND

IN THE MATTER OF THE ARMED FORCES RECONSTRUCTION FUND

Scheme for the Administration of the above mentioned Fund.

1. **Definitions.**—Unless there is anything repugnant to the subject or context in the Scheme.

(a) "Fund" means the Armed Forces Reconstruction Fund,

(b) "the year" means the financial year ending with the 31st day of March.

2. **Object of the Fund.**—(a) Primarily the Fund shall be used upon measures of a permanent nature for the benefit of those now serving and those who will in future serve in the ranks, or as non-combatants enrolled in the Indian Armed Forces or for the benefit of their families. The Fund will not NORMALLY be used to make individual grants.

(b) The Fund may be spent on such measures as:—

- (i) Education;
- (ii) Family welfare in the lines;
- (iii) Servicemen's and Servicewomen's welfare in the lines;
- (iv) Collective care of the disabled;
- (v) Grants for colonisation and for resettlement scheme of ex-servicemen in the States;

(c) The Fund shall not NORMALLY be used

- (i) to finance any schemes the provision of which is clearly the responsibility of the Government of India or of a State Government;
- (ii) to provide a reserve for other Funds in the services or in States,
- (iii) to finance temporary schemes.

3. **Extent.**—The object of the Fund extends to the whole of India.

4. **Assets of the Fund.**—In addition to the moneys particulars whereof are given in Schedule "A" the assets of the Fund shall include grants from Government as well as donations and voluntary endowments whenever given or received.

5. **Vesting of Assets.**—The Assets of the Fund including those particulars whereof are set out in Schedule 'A' shall be vested in the Treasurer of Charitable Endowments for India under the Scheme.

6. **Management of the Fund.**—The Treasurer of Charitable Endowments shall not act in the management or administration of this Fund, but subject to any general or special directions given by the Central Government, such management and administration shall be vested in and rest with the General Committee as hereinafter mentioned.

7. **General Committee.**—For the management and administration of the Fund, a General Committee shall be constituted consisting of:

Chairman

The Defence Minister.

Vice-Chairman

Deputy Defence Minister.

Members

Defence Secretary.

Chief of the Army Staff.

Chief of the Naval Staff.

Chief of the Air Staff.

Adjutant General, Army Headquarters.

Financial Adviser, Ministry of Finance (Defence).

Director General, Resettlement.

Secretary

Secretary, Indian Soldiers', Sailors' & Airmen's Board.

8. **Provision regarding the members of General Committee.**—(a) Where a person becomes a Member of the General Committee by reason of the office he holds, his membership shall terminate when he ceases to hold that office and his successor in office shall unless otherwise directed by the Central Government, be deemed to have been nominated in his vacancy.

(b) Subject to preceding clauses, a Member of the General Committee shall cease to be such Member if he dies, resigns, becomes of unsound mind, becomes insolvent, is convicted of a criminal offence involving moral turpitude, or is removed by the Central Government or is transferred from his present office.

(c) A resignation of membership shall be tendered to the Chairman of the General Committee and shall not take effect until it is accepted on behalf of the Committee by the Chairman.

(d) Subject to sub-clause (a) above, any vacancy in the General Committee caused by any of the reasons mentioned in sub-clause (b) shall be filled by nomination by the Central Government.

9. **Conduct of Business.**—The General Committee may meet together for the conduct of business, adjourn and otherwise regulate its meetings and proceedings as may be determined by the bye-laws. Unless otherwise determined the quorum for a meeting of the General Committee shall be three Members. A meeting of the General Committee at which a quorum is present shall be competent to exercise all or any of the functions of the Committee. Every matter shall be determined by a majority of votes of the Members present and voting on the question. The Secretary of the General Committee shall have no right to vote. In case of equality of votes the person acting as the Chairman shall have a casting vote.

10. **Functions of the General Committee.**—The General Committee shall function notwithstanding that any person who is entitled to be a Member by reason of his office is not a Member for the time being and notwithstanding any other vacancy in the General Committee and no act or proceeding of the General Committee shall be invalid merely by reason of the happening of any of the above events or of any defects in the appointment of any Member of the General Committee.

11. **Framing of Bye-laws.**—The General Committee shall make bye-laws for the regulation, management and for any other purpose connected with the execution of the Fund and the trusts thereof and may alter, vary or rescind the same from time to time.

12. **Appointment of Committees.**—The General Committee may appoint a Working Committee and such officers and staff as they may consider necessary.

13. **Delegation of Powers.**—The General Committee may delegate any of their powers to the Working Committee appointed under clause 12 or to any one or more members of that Committee. The General Committee may also delegate to one or more officers of the General Committee so far as such delegations relate to merely ministerial acts.

14. **Members of the General Committee not entitled to remuneration.**—The Members and Secretary of the General Committee shall not be entitled to any remuneration but will be entitled to be reimbursed their actual travelling expenses in respect of journeys to attend the meeting of the General Committee or undertaken by them for the purpose of the Fund.

15. **Appointment of Staff.**—Such staff as the General Committee may consider necessary shall be appointed by the General Committee. The remuneration of any staff appointed shall be fixed by the General Committee.

16. **Deposit of Moneys.**—All moneys received shall be deposited in one or more accounts at the State Bank of India and/or any other scheduled bank approved in this behalf by the Central Government.

17. **Accounts and Audit.**—Regular accounts shall be kept of all moneys and properties belonging to the Fund and shall be audited by a Chartered Accountant or firm of Chartered Accountants or any other recognised auditor as may be appointed by the General Committee. The auditor shall also certify that the expenditure from the Fund has been correctly incurred in accordance with the objects of the Fund. Copies of the annual account of the Fund duly audited and certified by the auditor of the Fund shall be submitted to the General Committee every year.

18. **Operation of the Fund.**—The Fund shall be operated on behalf of the General Committee jointly by the Director General, Resettlement, Ministry of Defence, and the Secretary, Indian Soldiers', Sailors' & Airmen's Board.

19. **Contracts.**—All contracts and other assurances shall be in the name of the General Committee and signed on its behalf by the Director General, Resettlement, Ministry of Defence and the Secretary, Indian Soldiers' Sailors' & Airmen's Board.

20. **Use of the Fund.**—It shall be lawful for the General Committee to expend the moneys in the Fund for the object of the Fund as mentioned above.

21. **Application of the Fund.**—Subject to the provisions of the Charitable Endowments Act, 1890, the General Committee shall have the power to control and administer the Fund and to apply the same or any part thereof as they may consider conducive to the object of the Fund.

22. **Sale and Investment of Moneys.**—The General Committee may request the Central Government to direct the Treasurer, of Charitable Endowments for India to sell or otherwise dispose of any property of the Fund vested in him and, with the sanction of the Central Government, to invest the proceeds of the sale or other disposal of property as well as any moneys of property not immediately required to be used for the objects of the Fund in such security for moneys as may be proposed, by the General Committee and specified in the direction, or in the purchase of immovable property.

23. **Receipt of additional endowments.**—The General Committee may receive any additional endowments, donations or other contributions in augmentation of any of the moneys and properties of the Fund or for general purposes of the Fund. It may also receive endowments, donations or other contributions for any special purpose connected with this scheme not inconsistent with or calculated to impede the due working of the provisions of this scheme.

[103-SB(67)/61/ISSAB.]

S. DEVANATH, Dy. Secy.

New Delhi, the 19th April 1963

S.R.O. 145.—In pursuance of sub-section (7) of Section 13 of the Cantonments Act, 1924 (2 of 1924) the Central Government hereby notifies that a vacancy has occurred in the Ward No. III of Cantonment Board, SAUGOR by reason of the death of SHRI RAMCHARAN an elected member of the Cantonment Board.

[File No. 29/9/G/L&C/57/1157-G/D (C&L).]

S.R.O. 146.—In exercise of the powers conferred by sub-section (2) of section 16 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to fix 10th June, 1963 as the date on which elections in Ward No. III of SAUGOR Cantonment shall be held.

[File No. 29/9/G/L&C/57/1157-G/D (C&L).]

S.R.O. 147.—Corrigendum.—In the Ministry of Defence S.R.O. 107, dated 14th March 1963 published in the Gazette of India, Part II, Section 4, dated 23rd March 1963, the following amendment is made:—

For "Major J. S. DANIEL".

Read "Major J. DANIEL".

[File No. 19/21/G/L&C/56/1156-G/D (C&L).]

S.R.O. 148.—In pursuance of sub-section (7) of Section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify the nomination of MAJOR J. DANIEL as a member of the Cantonment Board, JALAPAHAH, in an existing vacancy

[F. 19/21/G/L&C/56/1156-G/D (C&L).]

S.R.O. 149.—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924) the Central Government hereby notifies that a vacancy has occurred in Ward No. II of the Cantonment Board, FATEHGARH by reason of the death of SHRI ITWARI LAL an elected member of the Cantonment Board.

[File No. 29/40/G/L&C/57/1154-G/D (C&L).]

S.R.O. 150.—In exercise of the powers conferred by sub-section (2) of Section 16 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to fix 27th May, 1963 as the date on which elections in Ward No. II of FATEHGARH Cantonment shall be held.

[File No. 29/40/G/L&C/57/1154-G/D (C&L).]

New Delhi, the 20th April, 1963.

S.R.O 151.—The following bye-laws for regulating the inspection and the giving of copies of the records and documents of the Ajmer Cantonment Board, made by the said Board, in exercise of the powers conferred by clause (39) of Section 282 of the Cantonments Act, 1924 (2 of 1924), are hereby published the same having been previously published and having been approved and confirmed by the Central Government, as required by sub-section (1) of section 284 of the said Act, namely:—

BYE-LAWS FOR REGULATING THE INSPECTION AND THE GIVING OF COPIES OF CANTONMENT RECORDS AND DOCUMENTS.

1. Except as otherwise provided by or under the Cantonments Act, 1924 (2 of 1924) or by any other law in force, no copy of or extract from, any register, book, accounts, records, or other documents belonging to or in the possession of the Cantonment Board, shall be given to any person and no person shall be allowed to inspect any such register, book, accounts, record or other document without the previous sanction in writing of the Execution Officer.

2. Every person desiring to obtain a copy of any register, book, accounts, records or other documents referred to in bye-law 1 or extract therefrom or to inspect any such register, book, accounts, records or other documents shall apply in writing to the Executive Officer stating clearly and correctly the description of such register, book, accounts, records or other document.

3. Permission shall not be given for the inspection of any correspondence between the Board and the Central Government or any State Government or any

officer of the Central Government or State Government or of any other document, the inspection of which is in the opinion of the Executive Officer, detrimental to the interest of the Board or of the Government or to which the party applying is not entitled to nor shall copies of or extract from any such correspondence or documents be supplied.

4. No copy of a record, map or plan which has been printed or lithographed and published under the authority of the Government of India and is for sale to the general public shall be given to any person.

5. No extract from a document shall be given which, when read apart from the whole, is capable of mis-representing the purport, sense of any final order passed by the Board or any officer thereof.

6. For obtaining copies of any register, book accounts, records or other documents referred to in bye-law 1 or extracts therefrom or for inspecting any such register, book, accounts, records or other documents the following charges shall be payable in advance to the Cantonment Board, namely:—

- (i) for inspection of any document or record other than a Minute Book or Assessment List—one rupee per hour or part thereof;
- (ii) for search of an index file register for the purpose of finding or tracing any documents—one rupee for each year's Index file register;
- (iii) (a) for copying or making extracts from any document or office record—one rupee per one hundred words or part thereof;
- (b) if the original is in the tabular form twice the rate charged for (a);
- (c) for a certified true copy of an entry from the assessment list—rupees two per entry;
- (iv) for a certified copy of a map or plan or any portion of a map or plan of any immovable property bearing a separate survey number—such charges not exceeding fifteen rupees and not less than two rupees as the Executive Officer may determine;
- (v) for supplying a certified copy of a birth or death or marriage entry—one rupee;
- (vi) for the supply of an extract from a property or building register of sites and transfers—rupees two and fifty naye Paise only;
- (vii) for the supply of duplicate copy of a licence—rupee one;
- (viii) for attesting a copy of a document—fifty naye Paise;
- (ix) for the supply of any other document not falling under any of the preceding clauses—one rupee per page or part of a page of the register;
- (x) for supply of nerrick rates—fifty naye Paise;

Provided that no charges shall be payable by the District Soldiers Board for obtaining extracts from the Cantonment Birth and Death registers maintained by the Cantonment Board if such extracts are required for official purposes.

7. When an application is made for urgent copies, then, if the copies are supplied within three days from the date of receipt of the application, charges for the same shall be payable at double the rate prescribed under bye-law 6.

[F. No. 12/25/G/L&C/1112/G/D(C&L).]

S.R.O. 152.—The following bye-laws for the regulation and control of loud speakers in the Ajmer Cantonment, made by the Cantonment Board, Ajmer, in exercise of the powers conferred by clauses (28), (38) and (39) of section 282 and section 283 of the Cantonments Act, 1924 (2 of 1924), are hereby published for general information, the same having been previously published and having been

approved and confirmed by the Central Government, as required by sub-section (1) of section 284 of the said Act, namely:—

**BYE-LAWS FOR THE REGULATION AND CONTROL OF LOUD-SPEAKERS IN
THE AJMER CANTONMENT.**

1. Except with the permission of the Executive Officer and on such conditions as may be imposed under these bye-laws, no person shall make use of any loud-speaker, whether stationary or fitted to any motor lorry or other moving vehicle, within the limits of the Ajmer Cantonment:

Provided that no such permission shall be necessary for the use of any loud-speaker for any purpose which in the opinion of the Executive Officer is an official purpose:

Provided further that the use of any loud-speaker for commercial or advertisement purposes may be allowed by the Executive Officer within such areas of the Cantonment and during such hours as may be fixed by the Cantonment Board from time to time.

Explanation.—In these bye-laws, 'Loud-speaker' includes any electrically or mechanically operated means of producing loud noises.

2. All applications for permission shall be submitted to the Executive Officer who may, with due regard to public safety and convenience, in his discretion, refuse or grant permission and in granting such permission he may impose such conditions in respect of the use of the said apparatus as he may deem reasonable. The Board may, from time to time, lay down instructions for the guidance of the Executive Officer in the matter.

3. Any permission granted or condition imposed under these bye-laws may be withdrawn or varied by the Executive Officer where such withdrawal or variation appears necessary in the interest of public. Every permission granted under these bye-laws shall be subject to such Magisterial orders as may be issued in any emergency.

4. Any person aggrieved by an order of the Executive Officer, made under these bye-laws, may appeal to the Cantonment Board, within ten days from the date of communication of such order to him.

PENALTY

5. Any breach of the provisions of any of these bye-laws shall be punishable with fine which may extend to one hundred rupees, and in the case of a continuing contravention, with an additional fine which may extend to five rupees for every day during which such contravention continues after the conviction for the first of such contravention.

[F. No. 12/29/G/L&C/63/1142-G/D(C&L).]

S.R.O. 153.—The following bye-laws for registration and control of dogs in the Ajmer Cantonment made by the Cantonment Board, Ajmer, in exercise of the powers conferred by section 119 and section 283 of the Cantonments Act, 1924 (2 of 1924), are hereby published for general information, the same having been approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act namely:—

BYE-LAWS FOR THE REGISTRATION AND CONTROL OF DOGS

1. In these bye-laws "registering authority" means the officer commanding a Military Unit or, as the case may be, the Executive Officer of the Cantonment.

2. Every person who keeps a dog within the limits of the Cantonment shall cause the same to be registered in a book to be kept for the purpose,

(a) in the case of dogs kept in the lines of any Military Unit, by the Officer Commanding the Unit.

(b) in the case of all other dogs, by the Executive Officer of the Cantonment.

3. All such dogs shall be registered annually within 15 days from the 1st April of each year. All dogs brought into the Cantonment after 1st April shall be registered within 15 days of their being so brought in.

4 Every dog so registered shall wear a collar to which shall be attached a brass disc bearing the number in the register. These discs will be supplied on payment of 25 naye paise for each by the registering authority.

5 The discs shall be of such pattern as may be determined by the Cantonment Board from time to time and shall be of size easily distinguishable, and shall bear consecutive number

6 If a disc supplied under bye law 4 is lost or destroyed, the owner of the dog shall at once report the fact to the registering authority and obtain a new disc which will be supplied at a cost of 25 naye paise

7 Any dog not registered or not wearing such disc shall, if found in any place

(a) outside the bazar limits, be destroyed by the Cantonment Dog Shooter

(b) inside bazar limits be detained at a place set apart for the purpose

8 A fee of 25 naye paise per day shall be charged for such detention and any such dog shall be liable to be destroyed or otherwise disposed of unless it is claimed and the fee is paid within one week

9 The Executive Officer or the Health Officer may order the destruction of any dog wherever found—

(a) which in his opinion is suffering from rabies, or

(b) which has been bitten by any dog or animal which is suspected by him to be suffering from rabies

10 Whoever contravenes the provision of bye-law 3 or bye-law 4 shall be liable to fine which may extend to ten rupees

[File No 12|28|G|L&C|63|1109-G|D(C&L)]

CANTONMENT—REGULATIONS

SRO 154—The following bye-laws for the regulation, conservation and protection from injury or contamination of means of public water supply be regulating the bathing and washing places in Ajmer Cantonment made by the Cantonment Board Ajmer in exercise of the power conferred by clause (32) read with clause (22) of section 282 and section 283 of the Cantonments Act, 1924 (2 of 1924), are hereby published for general information, the same having been previously published and having been approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely—

BYE-LAWS REGULATING BATHING AND WASHING PLACES IN THE AJMER CANTONMENT

1 No person shall—

(a) bathe in any source of public water supply which is used for drinking purposes in Ajmer Cantonment,

(b) wash, throw or cause or permit to enter therein any dog or other animal,

(c) wash or cleanse therein any clothes wool cloth leather skin, utensil or any other thing,

(d) throw or allow to flow therein any offensive matter or rubbish,

(e) cause or allow the water of any drain sink steam engine or boiler or any other filthy or polluted water belonging to him or under his control to flow therein

(f) do any other act whereby the water thereof is polluted or is likely to be polluted

PENALTY

2 A breach of any of the causes of byelaw 1 shall be punishable with fine which may extend to one hundred rupees

[F No 12/27/G/L&C/63/1113-G/D(C&L)]

New Delhi, the 22nd April 1963

S.R.O. 135.—In exercise of powers conferred by section 60 of the Cantonments Act, 1924 (2 of 1924), the Cantonment Board, Nasirabad, with the previous sanction of the Central Government, hereby makes the following amendments to the notification of the Government of India in the late Defence Department, No. 1061 dated 19th April, 1947, namely:—

In the schedule to the said notification, after item 135, the following items shall be added, namely:—

136. Proprietor or keeper of cotton ginning or pressing Factory.	24/-
137. Motor repairer or mechanic or Proprietor of Motor repairing shop.	24/-
138. Motor Lorry Tyres or Tubes Vacunizer.	12/-
139. Maker of country soap for washing.	6/-
140. Agent of Insurance Companies.	12/-
141. Tinsmith or Tinkar	3/-
142. Dry Cleaner.	6/-
143. Railway Bilti Dalal.	6/-
144. Scller of parched grain—Bharbhunja or grain parcher.	3/-
145. Exclusive dealers in Bamboos, Ban or Cane made articles.	12/-
146. Caner of chairs or chick or mat maker.	3/-
147. Nanbai or Tandoor wala or keeper of Dhaba.	6/-
148. Vendor of stamps or non-judicial stamp papers.	6/-
149. Keeper of oil Kohlu.	3/-
150. Keeper of lime kiln or seller of lime.	12/-
151. Dealer in amplifier or keeper of amplifier for hire	12/-
152. Contractor or supplier of milk to Military Dairy Farm	12/-
153. Grazing Contractor.	24/-
154. Bones Contractor.	12/-
155. Exclusive stockists in cement or cement pipes or asbesto pipes or sheets.	24/-
156. Dealer in Machinery or parts thereof.	12/-
157. Seller of Machines or part thereof.	12/-
158. Haberdeshar.	3/-".

[F. No. 53/48/G/L&C/59/1037-G/D(C&L).]

New Delhi, the 23rd April 1963

S.R.O. 156.—The following amendment to the bye-laws for the registration of birth, deaths and marriages and the taking of the census made by the Cantonment Board, Babina in exercise of the powers conferred by clause (1) of section 282 and section 283 of the Cantonments Act, 1924 (2 of 1924) and published with the notification of the Government of India in the Ministry of Defence No. S.R.O. 283 dated the 8th December, 1961, are hereby published for general information, the same having been previously published and having been approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

In the said bye-laws, for clause (2) of bye-law 1 the following clause shall be substituted, namely:—

"(2) No fee shall be charged for the registration of any birth, death or marriage".

[F. No. 12/23/G/L&C/61/1162-G/D(C&L).]

K VENUGOPALAN, Under Secy

New Delhi, the 23rd April 1963

S.R.O. 157.—Corrigendum.—In the Notification of the Government of India in the Ministry of Defence No. S.R.O. 47, dated 21st December 1962 published in Part II of the Gazette of India, dated the 9th February 1963

1. against Serial number 19, for

“Deputy Secretary to the Government of Uttar Pradesh”

read

“Deputy Secretary to the Government of Uttar Pradesh, Finance Department.”

2. against Serial number 20, for

“Shri L. N. Suklani, Deputy Secretary to the Government of Uttar Pradesh, Education Department.”

read

“Shri B. K. Joshi, Deputy Secretary to the Government of Uttar Pradesh, Education Department.”

[F. No. 0397/NCC/Coord-D.]

J. N. GOYAL, Dy. Secy.